



CITY OF BURBANK
COMMUNITY DEVELOPMENT DEPARTMENT

150 North Third Street, P.O. Box 6459, Burbank, California 91510-6459

www.burbankca.gov

June 12, 2020

ANTRANIK SAIYON
316 NORTH MARYLAND AVE #108
GLENDALE, CA 91206

**RE: Project No. 19-0001443 – Hillside Development Permit – Approved
Located at 913 Cambridge Drive**

Dear Antranik Saiyon:

This letter is to notify you that the Community Development Director has approved your application for a Hillside Development Permit (Project No. 19-0001443). The project includes the following: the cutting of 80 cubic yards on the lot and construct a new 6 foot retaining wall on the side of the existing single-family dwelling.

The Project does not include any new square footage for the purposes of Floor Area Ratio and Lot Coverage. The property is located at 913 Cambridge Drive in the R-1 (Single-Family Residential) zoning district, within the designated Hillside area. Enclosed is the approval with conditions.

Please be advised the decision of the Community Development Director will become final fifteen (15) days from your approval date (June 12, 2020), unless the decision is appealed to the Planning Board within these 15 days. Any appeal of the Director's decision must be submitted to the Planning Division with the applicable filing fee prior to the expiration of the fifteen (15) day appeal period, or 5:00 p.m. on June 29, 2020. Please note that an appointment must be made for any appeal to be filed after 12 p.m. Monday through Friday. If you have any questions, please contact me by phone at (818) 238-5250 or by email at xathomas@burbankca.gov.

Sincerely,

XJVIRR THOMAS
Planning Technician
Community Development Department

Community Development Department Director's Decision

DATE: June 12, 2020

PROJECT TITLE: Project No. 19-0001443 – Hillside Development Permit

PROJECT ADDRESS: 913 Cambridge Drive

APPLICANT: Antranik Saiyon

PROJECT DESCRIPTION: The project includes the cutting of 80 cubic yards on the lot and construct a new 6 foot retaining wall on the side of the existing single-family dwelling. The property is located in the R-1, Single Family Residential zone within the designated Hillside area.

ZONING: R-1 **GENERAL PLAN:** Low Density Residential

MUNICIPAL CODE CONFORMANCE: The Project conforms to the Burbank Municipal Code. The scope of work does not include any additional square footage for FAR purposes. The existing Lot Coverage is in compliance with the maximum allowable Lot Coverage of 50%.

ENVIRONMENTAL REVIEW: The proposed project is exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15304(a) for minor alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes.

DATE SIGN POSTED ON-SITE: April 13, 2020

DATE PUBLIC NOTICE MAILED: May 7, 2020

DATE OF DIRECTOR'S DECISION: June 12, 2020

END OF APPEAL PERIOD: June 29, 2020

Daniel Villa

Xjvirr Thomas, Planning Technician
Planning Division (818) 238-5250

Patrick Prescott, Community Development Director

HILLSIDE DEVELOPMENT PERMIT NO. 19-0001443
(913 Cambridge Place – Antranik Saiyon, Property Owners)

Findings for Granting a Hillside Development Permit

The Community Development Director finds the proposed project satisfies the requisite findings contained in the Burbank Municipal Code Section 10-1-607(D) necessary for approval of the Hillside Development Permit, subject to the attached conditions of approval.

1) The vehicle and pedestrian access to the house and other structures do not detrimentally impact traffic circulation and safety or pedestrian circulation and safety and are compatible with existing traffic circulation patterns in the surrounding neighborhood. This includes, but is not limited to: driveways and private roadways, access to public streets, safety features such as guardrails and other barriers, garages and other parking areas, and sidewalks and pedestrian paths.

The existing vehicle and pedestrian access to the house and other structures will not be modified or impacted by the Project. The existing house, front entry location, driveway and garage, will remain in place. The cutting of land and the location of the proposed 6 foot retaining wall are located on the side-yard of the dwelling.

2) The house and other structures are reasonably consistent with the natural topography of the surrounding hillside.

The existing home will remain in place and the Project will not create any changes to the way the house is currently situated with respect to the surrounding topography. The house will be reasonably consistent with the natural topography of the surrounding hillside, as the proposed improvements would not expand on the existing building pad – the existing rear and side yard slope condition will remain as it is currently.

3) The house and other structures are designed to reasonably incorporate or avoid altering natural topographic features.

The existing home will remain in place and the Project will not create any changes to the way the house is currently situated with respect to the surrounding topography. The Project proposes to cut approximately 80 cubic feet of dirt along the side-yard area – however it would not result in an unreasonable change to the natural topography. As proposed the cut is flattening the side yard area – in order to utilize the property to its fullest potential – in a manner that is consistent with the side yards of other properties in the surrounding area. Therefore, the natural topography will not unreasonably change as part of the Project.

4) The house and other structures will not unnecessarily or unreasonably encroach upon the scenic views from neighboring properties, including both downslope and upslope views.

The subject property and neighboring properties along the same block have primary downslope views as they are generally oriented with eastern-facing side yards. These views are currently relatively unobstructed as the street below (Cambridge Drive) sits at a lower grade. In addition, the proposed retaining wall of 6 feet is below the height of the wall and fence that is directly north of the subject

property. Thus, the project would not unnecessarily or unreasonably encroach upon the scenic views from neighboring properties

5) *The house has been reviewed against the Neighborhood Compatibility provisions as set forth in Section 10-1-609 and the house complies with the Single Family Design Guidelines.*

There will be no alterations made to the home nor does the project include any new roofed structures, therefore the Neighborhood Compatibility design provisions do not apply to the project scope of work.

6) *The purpose of evaluating required finding (5) above, a view study must be submitted with all Hillside Development Permit applications documenting the impacts of the proposed structure(s) on views from adjacent properties. The view study must be prepared in a manner approved by the Director or his/her designee and contain all information and documentation deemed necessary by the Director for the purpose of analyzing view impacts and establishing setback lines for view determination to Section 10-1-606(E). This study is separate from the Ridgeline setback analysis required by Section 10-1-606(D).*

City Staff has identified that the cut of 80 cubic feet and the proposed 6-foot retaining wall on the side-yard of the single-family dwelling is in an area where none of the neighboring views would be affected by the proposed project. No story poles were required since there are no new roofed structures proposed. Staff concluded there is no possibility that the project will obstruct any of the neighboring properties views.

7) *The view impacts of the proposed project must be considered by the Director, or Planning Board or City Council if appealed, and may be used as a basis for requiring modifications to a project or denying a Hillside Development Permit due to inability to make the required finding.*

The proposed project has been determined to have no impacts to the neighboring properties with respect to design impacts and views. Conditions 1 through 36 are incorporated into the project to ensure the protection of public health, safety, and welfare.

Findings for Granting of an Exception Through a Hillside Development Permit

In the Hillside Zone, any retaining wall over four feet in height requires a Hillside Development Permit exception per Burbank Municipal Code Section 10-1-606(I) and is subject to the applicable finding. The Community Development Director finds the proposed project satisfies the requisite findings contained in the Burbank Municipal Code Section 10-1-606(I) necessary for approval of the exception, subject to the attached conditions of approval.

1. *The exception is not detrimental to the public health, safety, or general welfare.*

The construction of the proposed 6' tall retaining wall will not have any detrimental impacts related to the public health, safety, or general welfare as it is located within the boundaries of the subject property and has limited visibility/access from adjacent properties due to its location at the base of the upslope hillside. Additionally, the wall will be designed to meet the applicable building and safety design and construction standards identified in the CA Building Code. Therefore, the retaining wall will not have any detrimental impacts to the public health, safety, or general welfare of the neighboring properties.

2. *Granting of the exception does not constitute a grant of special privilege inconsistent with the limitations upon other projects and/or properties in the vicinity*

The proposed retaining wall is situated along a sloping interior side-yard area that slopes upward towards the adjacent property. The property owner is proposing to flatten the sloped area in order to expand their side-yard area and utilize the property to its fullest potential. The proposed flattening of the side-yard area would require a single 6' tall retaining wall against the adjacent neighbor's wall/fence. This would be similar to and consistent with the side yards and retaining walls of other properties in the surrounding area. Therefore, it would not constitute the granting of special privilege inconsistent with the limitations upon other projects and/or properties in the vicinity.

3. *The exception does not permit or encourage development inconsistent with the character of existing development in the neighborhood.*

Retaining walls of 6' in height are not inconsistent with the neighborhood as other properties in the area have side-yard walls and fences of similar heights. The proposed retaining wall is situated along a sloping interior side-yard area that slopes upward towards the adjacent property. The property owner is proposing to flatten the sloped area in order to expand their side-yard area and utilize the property to its fullest potential. The proposed flattening of the side-yard area would require a single 6' tall retaining wall against the adjacent neighbor's wall/fence. This would be similar to and consistent with the side yards and retaining walls of other properties in the surrounding area. Therefore, it would not permit or encourage development inconsistent with the character of existing development in the neighborhood

4. *There are special conditions or unique characteristics applicable to the subject property and/or the surrounding neighborhood due to the location in the hillside area that justify granting of the exception. Such conditions or characteristics may be related to topography, location, orientation, or other issues that do not generally apply to properties or neighborhoods located outside of the hillside area.*

The side yard area where the cut will take place has a unique slope that is attributed to the property's topography and location in the hillside area. The proposed 6-foot retaining wall would allow the property owner the opportunity of utilizing the property's entire of the side-yard, something that would not be possible without the retaining wall. Therefore, there are special conditions or unique characteristics applicable to the subject property and/or the surrounding neighborhood due to the location in the hillside area that justify granting of the exception

HILLSIDE DEVELOPMENT PERMIT NO. 19-0001443
(913 Cambridge Drive – Antranik Saiyon, Property Owners)

CONDITIONS OF APPROVAL

PLANNING DIVISION

1. Project No. 19-0001443, Hillside Development Permit, approves the cutting of 80 cubic feet of land and the construction of a 6-foot retaining wall on the side-yard of a single-family residence. The property is located at 913 Cambridge Drive in the R-1 zone within the designated Hillside area.
2. This permit shall expire if the scope of work is not initiated within one year of the date of this approval (expires on June 12, 2021), unless the Property Owner has diligently developed the proposed project as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements.
3. The operation/construction on the site shall remain in substantial conformance with the request and the project plans received by the Planning Division on March 2, 2019, approved June 12, 2020, and placed on file in the office of the Planning Division.
4. The 20 cubic yards in the front of the property will be landscaped once the retaining wall has been removed. Hardscape is prohibited because the area does not lead directly from Cambridge Drive to a designated parking space or accessory structure (garage).
5. The applicant shall comply with all federal, state, and local laws. Violation or conviction of any of those laws in connection with the use will be cause for revocation of this permit.
6. This permit may be modified or revoked by the City should the determination be made that the structure or conditions under which it was permitted present detrimental impacts on neighboring properties.
7. The applicant shall list these conditions of approval in all construction plans submitted to the Building Division for a building permit. The applicant shall also provide a separate written document outlining how, or where, each of the conditions have been addressed in the building permit plan set for all City Division/Department conditions enclosed and provide the same number of copies as building plan sets submitted for Building Plan Check.
8. By signing and/or using this Hillside Development Permit, the permittee acknowledges all of the conditions imposed and accepts this permit subject to those conditions and with full awareness of the provisions of the Burbank Municipal Code. Failure of the permittee or property owners to sign these conditions does not affect their enforceability by the City or other responsible entity. These conditions are binding upon all future property owners and occupants of the subject property.

BUILDING DIVISION

1. All projects shall comply with Title 9, Chapter 1, of the Burbank Municipal Code, and the current edition of the California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and Building Energy Efficiency Standards.

The 2016 California Building Standards Code is applicable to projects that submit a building permit application on or before December 31, 2019. The 2019 California Building Standards Code is applicable to projects that submit a building permit application on or after January 1, 2020.

2. Project lies within the City of Burbank Mountain Fire Zone.
 - a. All construction is required to meet Burbank Municipal Code 9-1-1-701A.1.1
3. A Civil plan is required showing the proposed changes to the site grading to accommodate the garage and driveway. Topographical contour lines are to be indicated, showing existing and proposed contours.
4. Grading and drainage plans are required, and a separate Grading & Shoring Permit may be required. Geotechnical report to be submitted along with Grading & Shoring Permit Application, if required by the Building Division.
5. The foundation shall comply with California Building Code Section 1808.7, for foundations on or adjacent to slopes. A soils report will be required.
6. A stamped setback certification by a Licensed Surveyor will be required to certify the location of the new construction in relation to the setbacks prior to the first foundation inspection.
7. New construction projects within the City of Burbank are subject to MWELo review.
New landscape areas for residential and non-residential projects between 500 and 2,500 square feet requiring a building or landscape permit, plan check or design review will be required to complete, either a Performance or Prescriptive Compliance Method.
8. The California Division of Mines and Geology Active Fault Near-Source Zones Map for Burbank indicates the city is within 2 km - 5 km of the Verdugo and Hollywood Faults. Structural design of construction projects must address the impact of the Near-Fault Zones.
9. Construction projects must comply with Best Management Practices for construction and stormwater runoff requirements of the National Pollutant Discharge Elimination System MS4 Permit.
10. The City's mandatory Construction & Demolition Debris Diversion Ordinance requires the recycling and diversion of at least 65% of construction and demolition debris. A refundable deposit and non-refundable administrative fee will be collected prior to permit issuance. The Ordinance applies to all demolitions and to new construction, additions, remodels, renovation, tenant improvement and alteration projects over 500 square feet in scope of work.
11. Plans submitted for plan check must be stamped by State-licensed architect or engineer

unless the project is one of the following listed below and complies with conventional light wood frame construction requirements in the CBC:

- Wood-framed, single-family dwellings not more than two stories in height;
- Wood-framed, multi-family dwellings not more than two stories in height, and limited to four dwelling units per parcel;
- Wood-framed, garages or accessory structures for single-family dwellings not more than two stories in height;
- Non-structural or non-seismic storefronts, interior alterations or additions.

12. A Building Permit may be issued to the Property Owner provided that the work is limited to:

- A single-family dwelling of wood frame construction not more than two stories and a basement in height.
- Garages or other structures appurtenant to single-family dwellings of wood frame construction not more than two stories and basement in height.
- Nonstructural or non-seismic alterations or additions.

13. Approved hours of construction are:

Monday – Friday 7:00 am to 7:00 pm

Saturday 8:00 am to 5:00 pm

No construction is permitted by contractors or subcontractors after hours, on Sunday or on City holidays without prior written request and approval from the Community Development Department.

14. Plans and reports submitted for Plan Check Review may be submitted electronically. For more information about the online submittal process, please contact Senior Plan Check Engineer Mario Osuna in Building Division at 818-238-5241.

15. All conditions of approval are to be reproduced on the construction document drawings as part of the Approved Construction Set.

16. All Departments that have provide Conditions of Approval are to receive a set of drawings for review and have provided final approval stamp on drawings, prior to issuance of Building Permit.

17. Five (5) sets of drawings shall be provided at the time of Plan Check Review. The following lists the necessary sheets per department:

a. Planning – Full set of Plans

(1 set of Civil /Landscape/Architectural/Structural)

b. Building & Safety – Full set of Plans

(1 set of Civil /Landscape/Architectural/Structural)

c. Public Works – Partial set of Plans

(1 set of Civil /Landscape/Architectural/Structural)

d. Burbank Fire Department – Partial set of Plans

(1 set of Architectural/Structural)

e. Parks & Recreation – Partial set of Plans

(1 set of Civil /Landscape/Architectural)

Requires Site Plan with existing landscape to be removed

Requires Site Plan with new landscape

Requires the number of new bedrooms adding

BURBANK WATER AND POWER DIVISION

18. The proposed new retaining wall construction will not conflict with the existing underground electrical service. However, during excavation and grading, it is imperative that caution is taken to avoid the underground conduit adjacent to the work area.

PUBLIC WORKS DEPARTMENT

19. No permanent structure is permitted in any public right-of-way or any public utility easements/pole line easements [BMC 7-3-701.1, BMC 9-1-1-3203].
20. No building appurtenances for utility or fire service connections shall encroach or project into public right-of-way (i.e. streets and alleys). Locations of these appurtenances shall be shown on the building site plan and the off-site improvement plans [BMC 7-3-701.1].
21. Applicant shall protect in place all survey monuments (City, County, State, Federal, and private). Pursuant to California Business and Professions Code Section 8771, when monuments exist that may be affected by the work, the monuments shall be located and referenced by or under the direction of a licensed land surveyor or licensed civil engineer legally authorized to practice land surveying, prior to construction, and a corner record or record of survey of the references shall be filed with the county surveyor. A permanent monument shall be reset or a witness monument or monuments set to perpetuate the location if any monument that could be affected and a corner record or record of survey shall be filed with the county surveyor prior to the recording of a certificate of completion for the project.
22. Any work within the public right-of-way must be permitted and approved by the Public Works Department before construction can commence. All construction work in the public right-of-way must comply with Burbank Standard Plans and must be constructed to the satisfaction of the City Engineer. A Public Works *Excavation Permit is required*. The excavation permit requires a deposit acceptable to the Public Works Director to guarantee timely construction of all off-site improvements. Burbank Standard Plans can be accessed at; <http://file.burbankca.gov/publicworks/OnlineCounter/main/index.htm>
23. On-site drainage shall not flow across the public parkway (sidewalk) or onto adjacent private property. It should be conveyed by under walk drains to the gutter through the curb face or connected to a storm drain facility [BMC 7-1-117, BMC 7-3-102].
24. Prior to the issuance of a Building Permit, the Applicant shall provide a letter of approval from the City of Burbank Building and Safety Division for the removal or modification of the existing concrete "V" ditch swale system on the hillside at the rear of the property. The existing "V" ditch swales provide a drainage control that minimizes hillside erosion and conveys storm water runoff.

25. Prior to the issuance of a Building Permit, plans should include easements, elevations, right-of-way/property lines, dedication, location of existing/proposed utilities and any encroachments.
26. Prior to issuance of Certificate of Occupancy, any portion of public parkway (sidewalk, curb, gutter, driveways, landscape, etc.) that is broken, uneven or uplifted at the end of the project must be reconstructed to the satisfaction of the City Engineer. The repairs and/or reconstruction will be required whether the damage is pre-existing or is a result of the project. Contact Public Works Inspection Office at (818) 238-3955 to have these areas inspected and identified after obtaining a Public Works Excavation Permit [BMC 7-3-501].
27. If any utility cuts or construction related impacts are made on Via Montana adjacent to the property, the Applicant will have to restore the street fronting the property per City of Burbank paving requirements.
28. No person shall connect to or tap an existing public sewer without obtaining a permit [BMC 8-1-301].
29. No visual obstruction over 3' high and under 10' high shall exist within the 5' by 5' corner cut-off at the intersection of the street and driveway [BMC 10-1-1303(c)]
30. Existing or proposed landscape with the parkway (public right-of-way) shall not exceed a height of 8", measured from the nearest top of curb. Any tree or vegetation in parkway shall not obstruct vehicle visibility, encroach into the roadway, or obstruct use of parkway by pedestrians [BMC 7-4-110]
31. Plans shall show a 3' wide parkway, location and width of existing driveway apron, water meter, mailbox, and parkway tree next to driveway.
32. A backwater valve is required on every private sewer lateral(s) connected to a private building(s), unless it can be shown that all fixtures contained therein have flood level rim elevations above the elevation of the next upstream maintenance hole cover of the public sewer serving the property, or a conditional waiver is granted by the Director [BMC 8-1-313]. Please note that Public Works' Wastewater Division will not sign off on the Certificate of Occupancy until the owner/developer provides proof that the backwater valve(s) has been installed.
33. Per BMC 8-1-1004.B(3), a Pool Discharge Permit is to be issued by the Public Works Permits counter and a \$37 fee is required each time a single family residential pool is emptied. Please refer to the enclosed pool discharge brochure. If the proposed pool/spa contains salt water, please note that salt water pool/spa discharges are currently conditionally allowed to discharge into the storm drain system, subject to meeting (and not exceeding) the following water quality objectives, in addition to other BMP requirements: TDS = 950 mg/l, Sulfate = 300 mg/l, Chloride = 190 mg/l/ This conditional allowance and the limits may be changed by the Regional Water Quality Control Board in the future (please check with the Public Works Department to verify). The City strongly discourages the use of saltwater pools.

34. Per BMC 9-3-407, Best Management Practices shall apply to all construction projects and shall be required from the time of land clearing, demolition or commencement of construction until receipt of a certificate of occupancy.
35. It is noted that according to city cadastrals the applicant appears to be occupying a portion of city property to the north of his lot. The beginning of his occupancy may have started in 2017 or before with the construction of a new house, and a retaining wall that makes a straight line across his back yard and into city property towards the Sunset Canyon Debris Basin. The plan submitted shows his property lines consistent with our cadastrals and the walls that enclose approx. 3,500 sq. ft. of city property.

PARKS & RECREATION - LANDSCAPE

36. Must comply with Municipal Water Efficient Landscape Ordinance (MWELo) requirements if over 500 square feet of landscape – Provide an Arborist Valuation for all trees and landscape removed for this project. Street Trees to remain DO NOT REMOVE PUBLIC RIGHT OF WAY TREES